

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAKE DANIEL VOIE,

Petitioner,

V.

KATHY GREY,

## Respondent.

Case No. C04-1765 RJB/KLS

ORDER FOR SERVICE AND  
RETURN OF § 2254 PETITION AND  
DIRECTING FILING OF  
DISPOSITIVE MOTION

(1) The clerk shall arrange for service by certified mail upon respondent, a copy of the petition, of all documents in support thereof, and of this Order. All costs of service shall be advanced by the United States. The Clerk shall assemble the necessary documents to effect service. The Clerk shall send petitioner a copy of this Order and the General Order.

(2) The parties are directed to address the issues raised in Judge Bryan's order declining to adopt this court's report and recommendation. (Dkt. # 26 ). Within forty-five (45) days after service of the petition, respondent shall file and serve a dispositive motion with the relevant state court record, so that this court may determine whether Petitioner has exhausted his claims.

(3) Upon receipt of the motion, the Clerk will note the matter for consideration on the fourth Friday after the motion is filed. Petitioner may file and serve a response not later than on the Monday immediately preceding the Friday appointed for consideration of the matter, and respondent

1 may file and serve a reply brief not later than on the Thursday immediately preceding the Friday  
2 designated for consideration of the matter.

3 (4) The Clerk is directed to send, along with the service copy and courtesy copies of the  
4 petition as noted above, a copy of Judge Bryan's Order (Dkt. # 26) and a copy of this Order to  
5 respondent and to the Washington State Attorney General's Office Criminal Justice Division.

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7 DATED this 30<sup>th</sup> day of May, 2006.

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11 Karen L. Strombom  
12 United States Magistrate Judge  
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